

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Agriculture, Conservation
2 & Resiliency Subcommittee

3 Representative Robinson, W. offered the following:

4

5 **Amendment**

6 Remove lines 60-166 and insert:

7 to, cannabidiol, are not controlled substances or adulterants if
8 they are in compliance with this section.

9 (3) DEFINITIONS.—As used in this section, the term:

10 (d) "Hemp" means the plant *Cannabis sativa* L. and any part
11 of that plant, including the seeds thereof, and all derivatives,
12 extracts, cannabinoids, isomers, acids, salts, and salts of
13 isomers thereof, whether growing or not, that has a total delta-
14 9-tetrahydrocannabinol concentration that does not exceed 0.3
15 percent on a dry-weight basis, with the exception of hemp
16 extract, which may not exceed 0.3 percent total delta-9

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17 tetrahydrocannabinol on a wet-weight basis. The term does not
18 include synthetically derived cannabinoids.

19 (e) "Hemp extract" means a substance or compound intended
20 for ingestion, containing more than trace amounts of a
21 cannabinoid, or for inhalation which is derived from or contains
22 hemp and which does not contain ~~other~~ controlled substances. The
23 term includes snuff, chewing gum, and smokeless products derived
24 from or containing hemp, but does not include cannabinoids that
25 are synthetically derived ~~synthetic~~ CBD or seeds or seed-derived
26 ingredients ~~that are~~ generally recognized as safe by the United
27 States Food and Drug Administration.

28 (g) "Synthetically derived cannabinoid" means any
29 cannabinoid created by any process other than direct extraction
30 from hemp and without further reacting with other chemicals to
31 increase the concentration of a present cannabinoid or to create
32 a new or different cannabinoid not originally found in the
33 extract.

34 (h) "Total tetrahydrocannabinol" means the sum of all
35 cannabinoids as defined by the department in milligrams.

36 (7) DISTRIBUTION AND RETAIL SALE OF HEMP EXTRACT.—

37 (a) Hemp extract may only be distributed and sold in the
38 state if the product:

39 1. Has a certificate of analysis prepared by an
40 independent testing laboratory that states:

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41 a. The hemp extract is the product of a batch tested by
42 the independent testing laboratory;

43 b. The batch contained a total delta-9-
44 tetrahydrocannabinol concentration that did not exceed 0.3
45 percent pursuant to the testing of a random sample of the batch;
46 ~~and~~

47 c. The batch does not contain contaminants unsafe for
48 human consumption; and

49 d. The batch was processed in a facility that holds a
50 current and valid permit issued by a human health or food safety
51 regulatory entity with authority over the facility, and that
52 facility meets the human health or food safety sanitization
53 requirements of the regulatory entity. Such compliance must be
54 documented by a report from the regulatory entity confirming
55 that the facility meets such requirements.

56 2. Is distributed or sold in a container that includes:

57 a. A scannable barcode or quick response code linked to
58 the certificate of analysis of the hemp extract batch by an
59 independent testing laboratory;

60 b. The batch number;

61 c. The Internet address of a website where batch
62 information may be obtained;

63 d. The expiration date; and

64 e. The number of milligrams of each marketed cannabinoid
65 per serving.

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66 3. Is distributed or sold in a container that:

67 a. Is suitable to contain products for human consumption;

68 b. Is composed of materials designed to minimize exposure
69 to light;

70 c. Mitigates exposure to high temperatures;

71 d. Is not attractive to children; and

72 e. Is compliant with the United States Poison Prevention
73 Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq, without regard
74 to provided exemptions.

75 (b) Hemp extract may only be sold to a business in this
76 state if that business is properly permitted as required by this
77 section.

78 (c) Hemp extract distributed or sold in this state is
79 subject to the applicable requirements of ~~violation of this~~
80 ~~section shall be considered adulterated or misbranded pursuant~~
81 ~~to~~ chapter 500, chapter 502, or chapter 580.

82 (d)~~(e)~~ Products that are intended for human ingestion or
83 inhalation and contain hemp extract may not:

84 1. Be sold in this state to a person who is under 21 years
85 of age; or-

86 2. Exceed 5 milligrams total tetrahydrocannabinol per
87 serving or 50 milligrams total tetrahydrocannabinol per package.

88 (12) RULES.-

89 (a) ~~By August 1, 2019,~~ The department shall adopt rules,
90 ~~in consultation with the Department of Health and the Department~~

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91 ~~of Business and Professional Regulation, shall initiate~~
92 ~~rulemaking~~ to administer the state hemp program. The rules must
93 provide for:

94 1.(a) A procedure that uses post-decarboxylation or other
95 similarly reliable methods for testing the delta-9-
96 tetrahydrocannabinol concentration of cultivated hemp.

97 2.(b) A procedure for the effective disposal of plants,
98 whether growing or not, that are cultivated in violation of this
99 section or department rules, and products derived from those
100 plants.

101 3. Packaging and labeling requirements that ensure that
102 hemp extract intended for human ingestion or inhalation is not
103 attractive to children.

104 4. Advertising regulations that ensure hemp extract
105 intended for human ingestion or inhalation is not marketed or
106 advertised in a manner that specifically targets or is
107 attractive to children.

108 (b) The department shall adopt rules pursuant to ss.
109 120.54 and 120.56, establishing the cannabinoids to include in
110 calculating total cannabinoids, which must include, at a
111 minimum, delta-8 tetrahydrocannabinol, delta-9
112 tetrahydrocannabinol, delta-9 tetrahydrocannalibonic acid,
113 delta-10 tetrahydrocannabinol, delta-9,11 tetrahydrocannabinol,
114 exo-tetracannabinol, and hexahydrocannabinol.